

REMARKS

In response to the Final Official Action mailed June 22, 2006, Applicants amend their application and request reconsideration. Claims 1-27 stand rejected. In this Amendment, claim 1 is amended to include the limitations of claims 2 and 3, claim 9 is amended to include the limitations of claims 10 and 11, and claims 17 is amended to include the limitations of claims 18 and 19. Claims 2, 3, 10, 11, 18, and 19 are canceled and no claims are added. Claims 1, 4-9, 12-17, and 20-27 remain at issue.

I. 35 U.S.C §103(a) Obviousness Rejection of Claims

Claims 1-27 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Rybicki et al.* (U.S. Patent No. 5,630,081, hereinafter “*Rybicki*”) in view of *Kucala* (U.S. Patent No. 5,832,489). Applicants respectfully traverse this rejection and respectfully request reconsideration.

To establish a *prima facie* case of obviousness, the cited references must teach or suggest all the claim limitations. MPEP §2143. The rejection of claim 1 under §103(a) is improper as the combination of *Rybicki* and *Kucala* does not teach or suggest all of the claim limitations. For example, the combination fails to teach or suggest “determining whether change tracking software on said disconnected device is compatible with change tracking software on said computer; and if the change tracking software on said disconnected device is not compatible with the change tracking software on said computer, utilizing a data translation operation to convert tracked changes to a protocol useable by said computer.”

The Examiner concedes that *Rybicki* does not teach the above limitation, but contends *Kucala* teaches the limitation at column 5, lines 39-51. That passage merely states:

The embodiment of the present invention as described above assumes that the palmtop files and the PC files have records with identical field order and field names. However, this is not necessary to practice the synchronization method of the present invention. In cases where file formats are non-identical, prior art methods exist to perform translations or conversions of file formats, thus allowing the present invention to function after the non-identical file formats are in a format where records can be compared. This flexibility in file formats is an important feature of the present invention because it allows information to be synchronized between palmtop and PC applications that use different file systems and file formats.

Applicants respectfully note that this passage says nothing of “change tracking software.” Nor does the passage say anything about determining change tracking software compatibility. Moreover, the passage says nothing of “a data translation operation to convert tracked changes” where the change tracking software is not compatible. Accordingly, Applicants fail to understand how *Kucala* could teach or suggest the present limitation, and ask the Examiner to reconsider this position. In contravention to Examiner’s assertions, Applicants respectfully submit that the conversion between file formats in *Kucala* is not suggestive of or equivalent to “determining whether change tracking software on said disconnected device is compatible with change tracking software on said computer,” nor is it suggestive of or equivalent to “utilizing a data translation operation to convert tracked changes to a protocol useable by said computer.” See, e.g., page 13, line 9 to page 14, line 13 of the patent specification. Change tracking software of differing protocols is not discussed in *Kucala*.

Accordingly, the combination of *Rybicki* and *Kucala* does not teach or suggest all of the claim limitations. Thus, *prima facie* obviousness has not been established, and the rejection should be withdrawn.

Claims 9 and 17 recite limitations similar to claim 1, and are thus patentable for at least the same reasons as given for claim 1. Claims 4-8, 12-16, and 20-27 depend from claims 1, 9,

and 17, respectively, and are therefore patentable for at least the same reasons as given for claims 1, 9, and 17.

CONCLUSION

In view of the above amendments and remarks, Applicant submits that all claims are allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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